

LaJuana S. Wilcher
Secretary

AIR QUALITY PERMIT
Issued under 401 KAR 52:040
STATE ORIGIN

Ernie Fletcher
Governor



Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

Permittee Name: Meuth Construction Supply, Inc.
Mailing Address: P.O. Box 523, Henderson, Kentucky 42419

is authorized to operate a ready mix concrete plant

Source Name: Meuth Construction Supply, Inc. (Marina Plant Site)
Mailing Address: Same as above
Source Location: Riverside Downs, 3003 Sunset Road, Henderson, KY 42420

KYEIS ID #:	21-101-00135	SIC Code:	3273
Log Number:	55734	County:	Henderson
AI Number:	44380		

Permit Number:	S-05-003	Permit Type:	Minor Source/Operating
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Regional Office:	Bowling Green Regional Office	Completion Date:	December 14, 2004
	1508 Western Avenue	Issuance Date:	February 1, 2005
	Bowling Green, KY 42104-3356	Expiration Date:	February 1, 2015
	(270)746-7475		

John S. Lyons, Director
Division for Air Quality

State-Origin Construction/Operating
Meuth Construction Supply Inc - Marina Plant Site
Subject Item Inventory

Activity ID No.: APE20040001

Subject Item Inventory:

ID	Designation	Description
AIOO44380	Source 1	General Conditions
AREA1	EP2	Stockpiles (Sand)
AREA2	EP2	Stockpiles (Gravel)
AREA3	EP2	Stockpiles (Aggregate)
AREA4	EP3	Unpaved Haul Road and Yard Area
EQPT1	EP1	Loadout to Stockpile (Sand)
EQPT2	EP1	Loadout to Stockpile (Gravel)
EQPT3	EP1	Loadout to Stockpile (Other Aggregate)
EQPT4	EP1	Loadout from Stockpile (Sand)
EQPT5	EP1	Loadout from Stockpile (Gravel)
EQPT6	EP1	Loadout from Stockpile (Other Aggregate)

Subject Item Groups:

ID	Description	Components
GACT1	Fugitives Points: Truck Loadouts and Stockpiles	AREA1 Stockpiles (Sand)
		AREA3 Stockpiles (Aggregate)
		EQPT1 Loadout to Stockpile (Sand)
		AREA2 Stockpiles (Gravel)
		EQPT3 Loadout to Stockpile (Other Aggregate)
		EQPT4 Loadout from Stockpile (Sand)
		EQPT5 Loadout from Stockpile (Gravel)

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ID	Description	Components
GACT1	Fugitives Points: Truck Loadouts and Stockpiles	EQPT6 Loadout from Stockpile (Other Aggregate)
		EQPT2 Loadout to Stockpile (Gravel)
GACT2	Fugitive Points: Unpaved Haul Road and Yard Area	AREA4 Unpaved Haul Road and Yard Area

KEY

ACTV = Activity

AREA = Area

EQPT = Equipment

PERS = Personnel

STOR = Storage

TRMT = Treatment

AIOO = Agency Interest

COMB = Combustion

MNPT = Monitoring Point

PORT = Transport

STRC = Structure

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AIOO44380 (Source 1) General Conditions:

Submittal/Action Requirements:

Condition No.	Condition
S-1	<p>SEMIANNUAL REPORTS:</p> <p>The permittee shall submit report(s): Due semiannually, by the 30th of January and July to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit. This report shall be a summary of any monitoring required by this permit, other than continuous emission or opacity monitors. For emission units that had not yet begun construction, were still under construction, or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation. All reports shall be certified by a responsible official. All deviations from permit requirements shall be clearly identified in the reports. [401 KAR 52:040 Section 21]</p>

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Submittal/Action Requirements:

Condition No.	Condition
S-2	<p>COMPLIANCE CERTIFICATION:</p> <p>The permittee shall certify compliance with the terms and conditions contained in this permit and shall submit compliance certification: Due annually, by the 30th of January to the Regional Office listed on the front of this permit. Compliance Certification Form (DEP 7007CC) (or an approved alternative) shall be used in accordance with the following requirements:</p> <ol style="list-style-type: none">Identification of the term or condition;Compliance status of each term or condition of the permit;Whether compliance was continuous or intermittent;The method used for determining the compliance status for the source, currently and over the reporting period, andFor emission units that had not yet begun construction, were still under construction, or which had not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is not in operation and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the Regional Office listed on the front of this permit and the following address: <p style="margin-left: 40px;">Division for Air Quality Central Files 803 Schenkel Lane Frankfort, KY 40601. [401 KAR 52:040 Section 19]</p>
S-3	<p>PERMIT EXPIRATION AND REAPPLICATION REQUIREMENTS:</p> <p>This permit shall remain in effect for a fixed term of ten (10) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division. The permittee shall submit permit application for renewal: Due 180 calendar days before permit expiration date to the Division. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division. [401 KAR 52:040 Section 15]</p>

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Narrative Requirements:

Condition No.	Condition
T-1	SECTION A. PERMIT AUTHORIZATION. [401 KAR 52:040]
T-2	<p>A1. Pursuant to a duly submitted application, the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.</p> <p>The permittee shall not construct, reconstruct, or modify an affected facility without first having submitted a complete application and received a permit for the planned activity from the Division, except as provided in this permit or in 401 KAR 52:040, State-origin permits.</p> <p>Issuance of this permit does not relieve the permittee from the responsibility of obtaining other permits, licenses, or approvals that may be required by the Cabinet or other federal, state, or local agencies. [401 KAR 52:040]</p>
T-3	A2. The Division for Air Quality has determined that this facility's potential to emit any air pollutant is less than 100 tons per year. Therefore, although the permit is conditioned to allow emissions in excess of 100 tons per year pursuant to federally enforceable Regulation KAR 59:010, New process operations, emissions equal to or in excess of 100 tons per year of any pollutant are not possible. Accordingly, this permit is being issued as a minor source state-origin permit. [401 KAR 52:040]. [401 KAR 52:040]
T-4	SECTION B. ADMINISTRATIVE REQUIREMENTS. [401 KAR 52:040]
T-5	B1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:040, Section 3(1)(b) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit. [401 KAR 52:040 Section 3(1)(b)]
T-6	B2. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Cabinet Provisions and Procedures for Issuing State Origin Permits, Section 1a (11)]. [401 KAR 52:040 Section 23]
T-7	B3. This permit may be revised, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance shall not stay any permit condition. [Cabinet Provisions and Procedures for Issuing State Origin Permits, Section 1a (4) and (5)]. [401 KAR 52:040 Section 23]
T-8	B4. This permit does not convey property rights or exclusive privileges. [Cabinet Provisions and Procedures for Issuing State Origin Permits, Section 1a, 8]. [401 KAR 52:040 Section 23]
T-9	B5. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:040 Section 11(3)]

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Narrative Requirements:

Condition No.	Condition
T-10	B6. This permit shall be subject to suspension at any time the permittee fails to pay all fees within 90 days after notification as specified in 401 KAR 50:038 Section 3(6)(b), Air emissions fee. The permittee shall submit an annual emissions certification. [401 KAR 52:040 Section 20]
T-11	SECTION C. RECORD KEEPING REQUIREMENTS. [401 KAR 52:040]
T-12	C1. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of at least five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [Cabinet Provisions and Procedures for Issuing State Origin Permits, Sections 1b (IV)(2) and 1a (7)]. [401 KAR 52:040 Section 23]
T-13	C2. The permittee shall perform compliance certification and recordkeeping sufficient to assure compliance with the terms and conditions of the permit. Documents, including reports, shall be certified by a responsible official. [401 KAR 52:040 Section 21]
T-14	SECTION D. REPORTING REQUIREMENTS. [401 KAR 52:040]
T-15	D1. a. The permittee shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows i. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown. ii. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall submit written notice upon request. b. The permittee shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Reporting Requirement condition D1.a above), the probable cause of the deviation, and corrective or preventive measures taken; to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report. [Cabinet Provisions and Procedures for Issuing State Origin Permits, Section 1b, V(3)]. [401 KAR 50:055 Section 1]
T-16	D2. The permittee shall furnish information requested by the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the permit. [Cabinet Provisions and Procedures for Issuing State Origin Permits, Section 1a, 6]. [401 KAR 52:040 Section 23]
T-17	SECTION E. INSPECTIONS. [401 KAR 52:040]

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Narrative Requirements:

Condition No.	Condition
T-18	<p>E1. The permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:</p> <ul style="list-style-type: none">a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;b. To access and copy any records required by the permit;c. Inspect any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit.d. Sample or monitor substances or parameters to assure compliance with the permit or any applicable requirements. <p>Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency. [401 KAR 52:040 Section 3(1)(f)]</p>
T-19	<p>SECTION F. EMERGENCIES/ENFORCEMENT PROVISIONS. [401 KAR 52:040]</p>
T-20	<p>F1. The permittee shall not use as defense in an enforcement action, the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Cabinet Provisions and Procedures for Issuing State Origin Permits, Section 1a, 3]. [401 KAR 52:040 Section 23]</p>
T-21	<p>F2. An emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:</p> <ul style="list-style-type: none">a. An emergency occurred and the permittee can identify the cause of the emergency;b. The permitted facility was at the time being properly operated;c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; andd. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency and included a description of the emergency, steps taken to mitigate emissions, and corrective actions taken. <p>These provisions are in addition to any emergency or upset provision contained in an applicable requirement. [401 KAR 52:040 Section 22(1)]</p>
T-22	<p>F3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:040 Section 22(2)]</p>
T-23	<p>SECTION G. COMPLIANCE. [401 KAR 52:040]</p>

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Narrative Requirements:

Condition No.	Condition
T-24	<p>G1. Periodic testing or instrumental or non-instrumental monitoring, which may consist of record keeping, shall be performed to the extent necessary to yield reliable data for purposes of demonstration of continuing compliance with the conditions of this permit. For the purpose of demonstration of continuing compliance, the following guidelines shall be followed:</p> <p>a. Pursuant to 401 KAR 50:055, General compliance requirements, Section 2(5), all air pollution control equipment and all pollution control measures proposed by the application in response to which this permit is issued shall be in place, properly maintained, and in operation at any time an affected facility for which the equipment and measures are designed is operated, except as provided by 401 KAR 50:055, Section 1.</p> <p>b. All the air pollution control systems shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers. A log shall be kept of all routine and non routine maintenance performed on each control device.</p> <p>c. A log of the monthly raw material consumption and/or monthly production rates shall be kept available at the facility. Compliance with the emission limits may be demonstrated by computer program, spread sheets, calculations or performance tests as may be specified by the Division. [401 KAR 50:055 Section 2]</p>
T-25	<p>G2. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with all:</p> <p>(a) Applicable requirements that are included and specifically identified in this permit; or</p> <p>(b) Non-applicable requirements expressly identified in this permit. [401 KAR 52:040 Section 11]</p>

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**GACT1 (Group 1) Fugitives Points:
Truck Loadouts and Stockpiles:**

Monitoring Requirements:

Condition No.	Parameter	Condition
M-1	Visible Emissions	All operations and control equipment contained in the described item or group shall be observed daily during daylight hours to determine whether conditions appear to be normal or abnormal. Normal or abnormal determinations for Visible Emissions monitored by visual inspection/determination daily shall be made. If the operations, controls and/or emissions appear to be abnormal, the permittee must then comply with the deviation reporting described in Section D of this permit. [401 KAR 52:040 Section 10] This requirement is applicable during the following months: All Year. Statistical basis: Instantaneous determination.
M-2	Compliance Demonstration	In addition to other monitoring described for the unit(s), continued Compliance Demonstration monitored by acceptable method(s) as needed shall be demonstrated through periodic testing, record keeping, etc. as described in the Sections C and D of this permit. [401 KAR 52:040 Section 10] This requirement is applicable during the following months: All Year. Statistical basis: Approved basis.

Narrative Requirements:

Applicable Regulations:

Condition No.	Condition
T-1	Applicable Regulations: Fugitive emissions is applicable to each affected facility which emits or may emit fugitive emissions and is not elsewhere subject to an opacity standard within the administrative regulations of the Division for Air Quality. [401 KAR 63:010 Section 1]

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Narrative Requirements:

Additional Limitations:

Condition No.	Condition
T-2	Additional Limitations: No person shall cause or permit the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate. In addition, the materials processed at each unit listed above shall be controlled with wet suppression and/or enclosures so as to comply with the standards specified in Section 3 of 401 KAR 63:010, Fugitive emissions. [401 KAR 63:010 Section 3]

Compliance Demonstration:

Condition No.	Condition
T-3	Compliance Demonstration: Applicable to Fugitive Emission Limitation. Observations and records, if applicable, shall be utilized to demonstrate failure to comply. Otherwise, compliance is assumed when daily observations indicate that the processes and controls are operating normally. [401 KAR 52:040]

Recordkeeping:

Condition No.	Condition
T-4	Recordkeeping: See Sections C1, C2, and G1 of this permit. [401 KAR 52:040 Section 10]

Reports and Submittals:

Condition No.	Condition
T-5	Reports and Submittals: See Semiannual Reports, Compliance Certification, Notification, and Sections D1 and D2 of this permit. [401 KAR 52:040 Section 10]

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**GACT2 (Group 2) Fugitive Points:
Unpaved Haul Road and Yard Area:**

Monitoring Requirements:

Condition No.	Parameter	Condition
M-1	Visible Emissions	All operations and control equipment contained in the described item or group shall be observed daily during daylight hours to determine whether conditions appear to be normal or abnormal. Normal or abnormal determinations for Visible Emissions monitored by visual inspection/determination daily shall be made. If the operations, controls and/or emissions appear to be abnormal, the permittee must then comply with the deviation reporting described in Section D of this permit. [401 KAR 52:040 Section 10] This requirement is applicable during the following months: All Year. Statistical basis: Instantaneous determination.
M-2	Compliance Demonstration	In addition to other monitoring described for the unit(s), continued Compliance Demonstration monitored by acceptable method(s) as needed shall be demonstrated through periodic testing, record keeping, etc. as described in the Sections C and D of this permit. [401 KAR 52:040 Section 10] This requirement is applicable during the following months: All Year. Statistical basis: Approved basis.

Narrative Requirements:

Applicable Regulations:

Condition No.	Condition
T-1	Applicable Regulations: Fugitive emissions is applicable to each affected facility which emits or may emit fugitive emissions and is not elsewhere subject to an opacity standard within the administrative regulations of the Division for Air Quality. [401 KAR 63:010 Section 1]

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Narrative Requirements:

Additional Limitations:

Condition No.	Condition
T-2	Additional Limitations: No person shall cause or permit the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate. In addition, the materials processed at each unit listed above shall be controlled with wet suppression and/or enclosures so as to comply with the standards specified in Section 3 of 401 KAR 63:010, Fugitive emissions. [401 KAR 63:010 Section 3]

Compliance Demonstration:

Condition No.	Condition
T-3	Compliance Demonstration: Applicable to Fugitive Emission Limitation. Observations and records, if applicable, shall be utilized to demonstrate failure to comply. Otherwise, compliance is assumed when daily observations indicate that the processes and controls are operating normally. [401 KAR 52:040]

Recordkeeping:

Condition No.	Condition
T-4	Recordkeeping: See Sections C1, C2, and G1 of this permit. [401 KAR 52:040 Section 10]

Reports and Submittals:

Condition No.	Condition
T-5	Reports and Submittals: See Semiannual Reports, Compliance Certification, Notification, and Sections D1 and D2 of this permit. [401 KAR 52:040 Section 10]